

अण्डमान तथा
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अण्डमान तथा निकोबार प्रशासन

ANDAMAN AND NICOBAR ADMINISTRATION
सचिवालय/SECRETARIAT

NOTIFICATION

Port Blair, dated the 2nd December, 2013

No.255/2013/F.No.3-350/2003-Labour.— WHEREAS, a conciliation proceedings initiated by the Assistant Labour Commissioner, Conciliation Officer, Port Blair between the General Secretary, Govt. Motor Transport Employees Union, Port Blair on behalf of Shri Hari Shankar Yadav, Workman and the Director of Transport, A&N Administration, Port Blair over the issue of non-regularization of his services from the date of his initial appointment, has failed.

AND, WHEREAS, the Conciliation Officer has forwarded a failure report on the conciliation proceedings vide No. D1/LE-14(544)/2012-LC/3101 dated 23/10/2013 to Government recommending to refer the case to Labour Court for adjudication under Section (4) of Section 12 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947).

NOW, THEREFORE, in exercise of the powers conferred under Sub-Section (1) of Section 10 read with Sub-Section (5) of Section 12 and Sub-Section (2-A) of Section 10 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) read with the Notification No. LR-1(59)/55 dated 13th December, 1955 of the Government of India, Ministry of Labour and A & N Administration's Notification No. 144/2008/ F.No.17-2/2007-Labour dated 7/10/2008, the Secretary (Labour), A & N Administration, after consideration of the report orders to refer the said dispute, in the following terms of reference, to the Labour Court, Andaman and Nicobar Islands, Port Blair for submission of award as per law.

TERMS OF REFERENCE

“Whether the action of Director of Transport, Port Blair for not regularizing the service of Shri Hari Shankar Yadav, DRM (Bus Conductor) with regular scale of pay w.e.f. from the date on which his juniors were appointed as DRM is legal and justified ? If not, what relief the concerned workman is entitled to ?”

By order of the Secretary (Labour),

Sd./-
(Walter Minj)
Assistant Secretary (Lab.)